



# Three traits that make for an **unrivaled attorney**

White paper

When tackling a new legal matter, attorneys and clients want to feel unrivaled. But what is “unrivaled,” and how do you get there? It is simply being better than opposing counsel in every matter. Getting there involves expertise, hard work, and the proper resources. It means backing a solid legal strategy with research and readiness. With today’s legal technology, powered by artificial intelligence, research tasks that once seemed impossible because of time constraints and the oceans of data needed to source a sound decision are now possible.

### *Is “unrivaled” an unreachable benchmark, or is it the new benchmark?*

In this paper, we’ll outline three traits of an unrivaled attorney and how your legal research can influence your ability to reach that level. *Accuracy* and *efficiency* are paramount. But for attorneys to feel unrivaled, they also need *confidence*. That comes from comprehensive preparation, an unassailable case, and the trust of their team. Let’s explore these traits.



Whether the matter is big or small, accuracy is the most fundamental part of any successful case. But client expectations have grown beyond that. They now expect their attorneys to bring a higher level of expertise into their case prep — even prior to beginning building a case.

“There’s never been much room for error, but now the expectation is even higher,” says Angela Rudolph, a senior associate with Thomson Reuters Westlaw Edge product management team. “Clients expect you to be the expert in everything. Even when you know it’s an unreasonable expectation.”

Building a case on solid footing is essential. It doesn’t take a major mistake to derail a case. Any number of small, yet critical errors could cost you and your client a victory. Identifying and correcting every error is of central importance.

#### **Accuracy pain point: Keeping up with changes in the law**

Every lawyer knows the law changes as often as waves crash a shoreline. Keeping up to date on these changes is critical to an accurate case. Do you have a go-to case you’ve used as a cornerstone for motions or briefs?

If, unbeknownst to you, that case is overruled, it’s now bad law. If you recycle that brief to save time, you need to know not to use it anymore.

For lawyers trying to keep up with heavy caseloads, trying to avoid these kinds of ‘gotchas’ can be more than cumbersome. The flow of changes and updates is more than busy lawyers can manage by themselves. Changes to statutes and regulations complicate the process even further.

#### **Accuracy pain point: Reviewing your opponent’s work**

Part of preparing your case is reviewing your opponent’s case. As standard procedure, you read through their motion thoroughly, checking all the cases they cite to make sure they are good law. But that’s not enough. You need to ensure that nothing was misquoted or taken out of context. “Advances in legal research technology have made the standard reviewing procedure an antiquated one,” says Rudolph. “What you couldn’t uncover using traditional research methods was perhaps the most relevant law that opposing counsel chose not to include. Did they leave it out by error or by oversight? Perhaps they left it out purposefully. Had you known this, you may have gleaned some insight into their strategy and more accurately targeted your own.”

#### **Accuracy solution: [Quick Check](#)**

**Quick Check on Westlaw® Edge, an AI-powered document analysis tool, examines text, citations, and structure of your uploaded document to detect the legal issues covered. It then identifies recommendations that are highly relevant to the issues in the document, but not otherwise cited. Use Quick Check to review your own work, analyze your opponent’s work to identify potential weaknesses, or compare multiple filings from a matter. Quick Check can refresh a past winning argument to ensure it has not become bad law. Also available within the tool is a report that shows what judges see when they use Quick Check.**

#### **Accuracy solution: [Statutes Compare and Regulations Compare](#)**

**With Statutes Compare and Regulations Compare, you can quickly understand the legislative history pertinent to your brief. With these tools, you can instantly see the most recent changes to a statute or regulation and compare any two versions, eliminating the manual comparison process. Statutes Compare and Regulations Compare help you better understand the intent of the changes to the law and whether the language has become more or less restrictive. Coverage includes all statutory content and federal regulations with versions, plus state regulations in select states.**



## EFFICIENCY

While both accuracy and efficiency are key traits for an unrivaled attorney, they don't necessarily go hand-in-hand. Clients expect you to know everything and they want answers quickly. They don't want to pay you for gaining the insights they believe you should already know. So, while they want the accuracy that comes from detailed review and check of everything related to their matter, they don't want to pay for the time it takes to achieve that.

### Efficiency pain point: Second guessing

"Many attorneys, including myself, are perfectionists," says Rudolph. "It's how we survived law school and passed the bar exam. We want to make sure that every bit of our case is accurate and yields the results that we want. The fear of making mistakes means you spend more time reviewing documents and data, and you probably want to triple- or quadruple-check everything on your list. This eats up valuable time and chips away at your efficiency."

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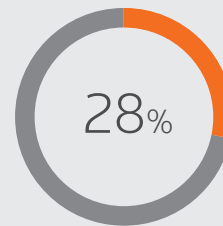
– Angela Rudolph, a senior associate with Thomson Reuters Westlaw Edge product management team

The *Harvard Business Review* concurs: "Second-guessing also has a real productivity impact," says Amy Jen Su, co-founder of executive

leadership development firm Paravis Partners and coauthor of *Own the Room*. "When you're spinning on a decision, you're not moving forward. You're just sitting in this purgatory of second-guessing."

### Efficiency pain point: Questioning your information sources

Online research tools can be extremely helpful in adding efficiency to case prep — but not if you have doubts about their authority. Do you ever question whether your sources are complete and up to date? If so, that's an efficiency pain point.



[The Thomson Reuters® Institute](#) estimates that **28%** of an attorney's time is spent neither practicing law nor meeting with clients.

### Efficiency pain point: Managing non-billable hours

Managing non-billable hours is not just a pain point for efficiency; its effects reach throughout a firm. The Thomson Reuters® Institute estimates that 28% of an attorney's time is spent neither practicing law nor meeting with clients. When your livelihood is based on the billable hour, you don't want to move too quickly. But write-downs can be a trap that can lead to lost revenues and can diminish your reputation with clients and firm management. "The time you spend researching a new area of law, or keeping up with changes to the law and figuring out how they relate to your practice, is important," says Rudolph. "Establishing and adhering to efficient work practices at your firm directly relate to the bottom line. So, arming yourself with the right help and tools is essential."

### Efficiency solution: [WestSearch Plus](#)

**WestSearch® Plus**, a central feature of Westlaw Edge, utilizes advanced artificial intelligence to add powerful efficiency to your legal research. As you search, WestSearch Plus surfaces the information you need right to the top of your results. You can save time digging through results lists and complete your search quickly and confidently. You can view a case synopsis right from your search results so you can quickly determine if the case applies the law favorably, without having to skim the entire document. Searches can be done using plain language or Boolean terms and connectors. You can also enter a citation and it will take you directly to that specific document. WestSearch Plus offers predictive typeahead, responsive text, and dynamic filters to increase your efficiency. You can even highlight terms related to specific concepts, words, or phrases that matter most to your research so you can easily determine the most relevant results for your issue.



## CONFIDENCE

While the traits of accuracy and efficiency are easy to define, confidence can be a bit more cryptic. Is confidence exclusively an internal trait, or can it be built within certain circumstances?

“An attorney’s confidence is under a consistent prolonged assault at every level of the process — from starting law school, to getting an initial job, to remaining employed as an associate, to making partner at a firm,” states Harrison Barnes of BCG Attorney Search. “Paradoxically, confidence is the most important characteristic for an attorney to possess in order to be successful.”

“Nothing is more important to your long-term success as an attorney than remaining confident at all times. The moment you lose your confidence is the moment you lose the game. You must find a way to preserve your confidence no matter what crushing blows the legal system throws at you. Do this and you will succeed where so many others fail.”

Confidence impacts your daily work life as well as your long-term career prospects. Clients want to see a confident attorney handling their case; fellow attorneys will refer potential clients to one they believe is confident and competent; and firm management looks thoughtfully at confident junior attorneys when assessing potential partners.

***“Bring clients into the fold, tell them about your vision, show them why you’re confident by sharing what you know and how you learned it.”***

– Angela Rudolph

### **Confidence pain point: Having confidence in your research**

Research is the basis for all legal work, and feeling confident you have turned over every stone while prepping your case is important. Timing is also a factor: finding errors early in your research, rather than in your final draft, is key to feeling that your case is strong. Product engineers call this “failing fast” as they design a new product and welcome the early errors. Catching bugs in early prototypes means they can be easily and inexpensively fixed — not so when problems are discovered at the manufacturing stage. The same is true for preparing a legal

case. Finding errors early as you research your brief means that you won’t have to re-evaluate your case strategy at the final hour. You can start by bouncing your approach off a colleague, but lean hard on technology that can detect and correct weak spots in your brief.

### **Confidence pain point: Projecting confidence to your clients**

You’ve devised a strategy, put in the work, and run it by trusted colleagues, but your confidence can still be tepid in front of clients. That’s a problem for both you and your legal organization. “Bring clients into the fold, tell them about your vision, show them why you’re confident by sharing what you know and how you learned it,” says Rudolph. “Demonstrate that your personal insight combined with data from analytics tools have helped create a strategy that is unique to their particular needs. This will help your client feel cared for and confident in you. And it also sets the stage for building a strong bond throughout the relationship and hopefully beyond if any other legal needs arise.”

### **Confidence pain point: Evaluating your judge**

Imagine looking into the future and knowing how your judge will rule, how long it will take them and what they’ll appeal to. This kind of crystal-ball insight would be handy, but doesn’t exist.

According to Timothy J. Capurso of the University of Baltimore Law Forum, “The art of judicial decision-making is the cornerstone of the American justice system — few other public officials have the power



and influence of a presiding judge. Nevertheless, the process of how judges reach their decisions has baffled and intrigued legal scholars, lawyers, and litigants for centuries.” This state of unknowing, and Capurso’s conclusion that, “judges, like the cases they decide, are unique” can cause trepidation for lawyers facing those judges.

However, technology is now available to look up data on how judges have a tendency to rule, and outcomes of similar cases. In seeing what cases judges rely on, you can confidently build a strategy when you have access to insights that were previously unknowable.

**Confidence solution: [KeyCite Overruling Risk](#)**

KeyCite® Overruling Risk, available exclusively on Westlaw Edge, is the only citator that warns when a point of law in a case has been implicitly undermined based on its reliance on an overruled or otherwise invalid prior decision. KeyCite Overruling Risk leverages AI to identify bad law with no direct citations. It eliminates the need to manually review cases for overruled points of law. Plus, the interface makes it easy to get information on the overruling and overruled cases.

Traditional citators identify when a case has been *explicitly* invalidated by a subsequent ruling. However, they don't warn when similar cases may have also been implicitly overruled or abrogated by subsequent new developments in the law. KeyCite Overruling Risk uses an orange warning icon to mark cases that have no direct citations pointing to their invalidity.

**Confidence solution: [Litigation Analytics](#)**

One of the most profound change-agents in the business world, the scientific world, the sports world, and the legal world has been the introduction and adoption of analytics. Litigation Analytics, part of Westlaw Edge, delivers relevant, data-driven insights on judges, courts, damages, attorneys, law firms, and case types across most practice areas. You can easily gather relevant information to build the strongest case strategy and respond to clients even faster with the initial case context around likely outcome, timeline, and cost.

You can better set and manage client expectations in terms of cost, timing, and likely outcome by understanding the most probable results. You can get a sense of how long it will take to resolve this type of case in front of your judge, how often your judge grants summary judgment motions, and which court is best suited for your client's claim.

**Confidence solution: [Quick Check](#)**

Powered by advanced artificial intelligence, Quick Check is an intelligent document analysis tool built to take your research to the next level. It allows you to upload and compare up to six documents from a matter. The resulting report displays relevant authority that was omitted, a list of citations found in all of the uploaded documents, and any differences between case quotes and the cited case language on Westlaw Edge. With Quick Check you can:

- Review the briefs filed by you and your opponent to gain an inside look at the same analysis your judge will see.
- Check a drafted reply against documents that have already been filed to ensure nothing was missed.
- Compare your opponent's work against your own to find new ways to strengthen your argument.



**Conclusion:**

When evaluating the key traits of an unrivaled lawyer, accuracy, efficiency, and confidence intermingle. Accuracy can sometimes grapple with efficiency, and both of these traits affect confidence. When you add demanding client expectations and legal pain points, getting to unrivaled status can be tough. But when you lean on legal technology, especially tech powered by legal-specific artificial intelligence, all three can align to put you out front of other lawyers.

**The complete solution: [Westlaw Edge](#)**

To feel confident in your legal arguments, step one is grounding them in solid legal research. Westlaw Edge provides an array of tools to complete your legal research in less time and with exceptional accuracy. It's like a second set of eyes on your work, ensuring you haven't missed anything. When your research is complete, Westlaw Edge also helps you scrutinize your arguments, analyze your opponent's work, and provides insights on how your judge has ruled on similar cases in the past. All of these tools are powered by advanced artificial intelligence and an editorial foundation that sets the standard in the legal industry.

**Sources:**

[Stop Second-Guessing Your Decisions at Work \(hbr.org\)](#)

[Legal Executive Institute | Thomson Reuters](#)

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[How Judges Judge: Theories on Judicial Decision Making \(ubalt.edu\)](#)

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